

REMARKS

Claims 1 – 46 remain in the application and stand rejected. Claims 1, 4, 7, 9, 10, 14 – 17, 19, 32, 35, 38 – 40 and 42 – 46 are amended herein. No new matter is added. Although this amendment is being timely filed, the Commissioner is hereby authorized to charge any fees that may be required for this paper or credit any overpayment to Deposit Account No. 50-3818.

Claims 1 – 27 and 32 – 46 are rejected as being unpatentable under 35 U.S.C. §103(a) over published U.S. Patent Application No. 2004/0205209 to Wengrovitz et al. in view of U.S. Patent No. 6,714,793 to Carey et al. Claims 28 – 31 are rejected as being unpatentable under 35 U.S.C. §103(a) over Wengrovitz et al. and of U.S. Patent No. 7,020,460 to Sherman et al. in further view of published U.S. Patent Application No. 2005/0013421 to Chavez et al.

The Office Action suggests further amending to differentiate over the cited references by “defining the relationship between the IM application and the proxy servers within the system.” Page 13, #37. In particular, the Office action suggests defining the first and second protocols and to clarify their relation to each other and that the two do not interface with each other.

Accordingly, claims 1, 14, 32 and 42 are amended to specifically recite that the two protocols are incompatible (and therefore, do not directly interface with each other). More particularly, these claims are amended to recite that messages in one protocol are incompatible with the other and vice versa. Also, claims 4, 9, 10, 35, 40 and 45 are amended to recite that messages on one side of the converter/interworking unit are in one protocol and on the other side in the second/other protocol. Claims 15 – 17, 19 and 38 – 40 recite that the messages between the devices pass through the converter/interworking unit.

The Office Action also suggests amending to further define how the IM function is provided to the telephones and where the telephone IM capability is managed. Again, claims 1, 14, 32 and 42 are also amended to specifically recite that the converter/interworking unit manages IM capability for, and provides to, the telephone sets. All of this is supported in the specification, e.g., Figures 1 and 2, 120, 260 and page 6, line 25 – page 7, line 13. Claims 7, 43,

45 and 46 are amended responsive to the amendment to claims 1 and 42. No new matter is added. None of this is shown or suggested by any reference of record. Accordingly, believing the amendment to differentiate adequately over the cited references, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

The applicants thank the Examiner for efforts, both past and present, in examining the application. Believing the application to be in condition for allowance, both for the amendment to the claims and for the reasons set forth above, the applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 – 46 under 35 U.S.C. §103(a) and allowance of the application to issue.

Should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney at the local telephone No. listed below for a telephonic or personal interview to discuss any other changes.

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Respectfully submitted,

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